IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.15449 of 2004

Between:

1 P. Anjaneyulu, S/os Jagannadham,
R/o 4-1-367/1, Kothur , Hanamkonda, Warangal District.
2 M. Shedrache, S/o Krishnamurthy,
Mahabubabad Circle, R/o 4-1-12/1/3, Reddy Bazar, Mahabubabad,
Warangal District.

..... PETITIONERS

AND

1 Assistant General Manager (Estt), Bharat Sanchar Nigam Limited,
Doorsanchar Bhavan, Abids, Hyderabad - 01.
2 General Manager (Telecom), Bharat Sanchar Nigam Limited,
Warangal Area, BSNL Bhavan, Hanamkonda, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondents in not including the names of the petitioners in the list of eligible candidates and also not issuing Hall Tickets to write pre-qualifying test for TTA Posts scheduled to be held on 14-9-2004 pursuant to the notification issued on 23-6-2004 by the first respondent is highly arbitrary, bad and illegal.

Counsel for the Petitioner: Mr. P.PRABHAKAR REDDY

Counsel for the Respondents: Standing Counsel for BSNL

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not including the names of petitioners in the list of eligible candidates and also not issuing hall tickets to them to write pre-qualifying test for TTA post scheduled on 14-9-2004 pursuant to the notification issued on 23-6-2004 by the 1st respondent as arbitrary and illegal.

On 23-6-2004, Bharat Sanchar Nigam Limited, Hyderabad, issued a communication to all the Heads of Departments and Heads of Units in the Andhra Pradesh Telecom Circle calling for applications for appearing for the Limited Departmental Competitive Examination for TTAs against 40% quota scheduled on 14-9-2004, which according to the petitioners, has been postponed. Petitioners applied for the said post and they came to know that their names were not included in the list of eligible candidates on the ground that they have not completed five years of regular service in the prescribed cadre as on 1-7-2004.

Learned counsel for the petitioners relied upon the Circular dated 18-11-2003 issued by BSNL, Corporate Office, New Delhi to all the heads of BSNL Circles and the very Notification dated 23-6-2004 issued by the 1st respondent and contended that none of the conditions prescribed in the said communication and notification require that a Telephone Mechanic should put in a minimum five years of regular service for the purpose of appearing for the pre-qualifying test for TTA post.

Having heard both sides and in view of the above, without going into the merits of the case, the 2nd respondent is directed to verify the service particulars of the petitioners and if they satisfy the conditions required for appearing the pre-qualifying test for TTA post as per the Circular instructions in force, their names shall be included in the list of eligible candidates.

With the above direction, the writ petition is disposed of at the admission stage.

16-9-2004

Office to furnish

CC in 3 days.

(B.O.)

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Assistant General Manager (Estt), Bharat Sanchar Nigam Limited,
Doorsanchar Bhavan, Abids, Hyderabad - 01.
2 General Manager (Telecom), Bharat Sanchar Nigam Limited,
Warangal Area, BSNL Bhavan, Hanamkonda, Warangal District.

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